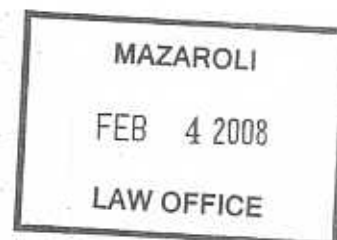


DLM REF.: 7SMA-1529

WAIVER OF SERVICE OF SUMMONS

TO: David L. Mazaroli, Attorney for Plaintiff

I acknowledge receipt of your request that I waive service of a summons in the action of **HARLEM FURNITURE, et al. v. M/V "EVER UNIFIC", et al.** which is case number 08 CIV. 589 (GEL) in the United States District Court for the Southern District of New York. I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without costs to me.

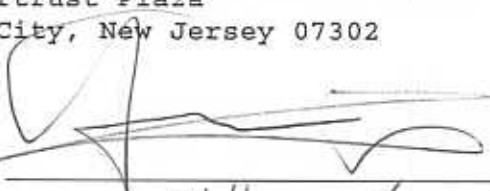
I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after **January 24, 2008**, or within 90 days after that date if the request was sent outside the United States.

Evergreen Marine Corporation
c/o Evergreen America Corporation
One Evertrust Plaza
Jersey City, New Jersey 07302

Feb. 01/2008
Date

Signed: 

Name:

Title: *Manager*

Company: *Evergreen Shipping Agency (America) Corp*
As Agent of Evergreen Marine Corporation

